



## Surface Mining Permit Application and Instructions

### PROCEDURE FOR FILING AN APPLICATION FOR A SURFACE MINING PERMIT

1. **WHO MAY FILE:** A petition for a Surface Mining Permit may be applied for by the property owner and/or his representative. The owner in all cases must sign the application. All applicants must designate a contact person for the Surface Mining Permit application. The City requires the name, address and telephone number for that contact person. The applicant is responsible for notifying the City if the contact person or entity's address or phone number changes.
2. **APPLICATION:** The application forms may be obtained from the Auburn Planning Department. When you have completed the application please return it to the Planning Department.

Be sure to complete the application in its entirety, an incomplete application may cause a delay in scheduling a hearing.

3. **STAFF REVIEW:** Submission of an application begins a 28-day review period for City staff to determine whether the application is "complete" for the purposes of processing the application. An application is considered complete when it meets the submittal requirements established in the Zoning Ordinance and is sufficient for continued processing. Additional information might be required during the review of the application which could delay the review of the application. If the application is considered "complete" a notice of determination of completeness will be provided to the applicant in writing. If the City determines that the application is not complete, the applicant will receive written notice to that effect and a list of the information that is needed to make the application complete.

If a Surface Mining Permit application is determined to be incomplete or more information is required, then the review of the application will be interrupted and the hearing delayed.

4. **CONSOLIDATED REVIEW:** If the applicant has other permits that he/she would like to be processed concurrently with the Surface Mining Permit, the applicant may request, and the City will conduct, an integrated and consolidated permit review process. The optional consolidated review provides an opportunity for all permit application related to a project to be review at the same time.
5. **HEARING EXAMINER PUBLIC HEARING:** The City's Hearing Examiner will conduct a public hearing on all Surface Mining Permits. The public hearing is an "open record" public hearing. This means that the record is open to receive information, testimony, exhibits, evidence, etc. to be used by the Examiner to make a decision on the surface mining permit. This hearing is the only time to present any information, testimony, exhibits, evidence, etc. that will be used by the City to make a decision on your Surface Mining Permit.

The owner and/or his representative must be at the public hearing. It is a City policy to table the application if the owner or a representative is not in attendance.

At the conclusion of the public hearing, the Hearing Examiner will prepare a written decision which will be forwarded to the City Council, or if it is necessary, the Hearing Examiner may postpone a recommendation in order to collect more information.

6. **CITY COUNCIL ACTION:** When the City Council receives the application it may either affirm the decision of the Hearing Examiner or remand the decision to the Hearing Examiner. If the Council wishes to modify or reject the Hearing Examiner's decision, then a hearing must be scheduled first.

If a hearing is held by the City Council it is considered a closed record hearing. this means that the City Council cannot consider any new information, testimony, exhibits, evidence, etc. that was not considered by

the Hearing Examiner and made part of the Hearing Examiner's record. The applicant and the public are still allowed to provide comments to the City Council, but those comments must be based upon the record that was established at the Hearing Examiner's hearing.

If Council approves the request, they will instruct the City Attorney to prepare the necessary ordinance which will be adopted by the Council at their following meeting. In some cases, the Council may direct that specific conditions or agreements be secured prior to the adoption of the ordinance.

**7. SITE PLAN REQUIREMENTS:** Each application shall be accompanied by a site plan and shall illustrate the following:

- Vicinity map
- Name, address and phone number of property owner
- Name, address and phone number of engineer or agent
- Starting date of mining
- Completion date of mining
- Hours of operation
- Fence detail
- Location of utility lines
- Location of structures
- Location of accessory uses such as crushers, sorters, or scales
- Existing contours, drawn at five (5) foot intervals and indicated by light dashed lines
- Proposed contours, drawing at five (5) foot intervals and indicated by solid dark lines
- Cross sections shall be taken at or near each property line and then spaced at three hundred (300) foot intervals thereafter. Cross sections shall be taken in both north/south and east/west directions. Additional cross sections may be required, if necessary, to determine the impacts of the proposal.
- Boundaries and dimensions of the site
- Cubic yards of material per phase

The site plan shall be properly dimensioned and drawn at a scale not less than one (1) inch equals forty (40) feet and on a sheet size twenty-four (24) inches by thirty-six (36) inches, more sheets may be allowed if necessary. A **reproducible mylar and ten (10) copies** of the site plan shall be submitted at the time of application.

**8. OTHER INFORMATION REQUIRED:** In addition to the site plan, the following must be provided as part of the application: phasing plan, soils report, storm drainage and erosion control plan, haul route, dust control plan, rehabilitation plan, and a reclamation plan.

Please refer to Chapter 18.62, attached, which describes what is required of each of the above and the overall standards for surface mining.

**9. TIME FRAME:** It takes about 120 days to complete the Surface Mining Permit process. The process may be longer if the application is incomplete or additional information is required. The application will not be scheduled for a public hearing until the environmental review is complete.

**10. FEES:** \$3,112.00 plus \$727.00 for an Environmental Checklist.

**11. DATES FOR HEARING EXAMINER PUBLIC HEARINGS:** The Hearing Examiner public hearing begins at 7:00 P.M. in the City Council Chambers on the first floor of the Auburn City Hall. Please see attached list for meeting dates.

**PLEASE NOTE:**

Due to the nature of a gravel removal operation, it may be necessary to require additional information that will enable us to do a thorough review of your project in order to determine its impact upon the environment. This

additional information could be an Environmental Impact Statement, in which case additional fees to cover the cost of preparing or reviewing the EIS will be levied.

Though the application may be submitted prior to the deadline, the application will not be placed on the Hearing Examiner's agenda until the Planning Director has found the application to be completed in its entirety.

**PLEASE NOTE:**

The application will not be placed on the Hearing Examiner's Agenda until the Planning Director has found the application to be completed in its entirety and the environmental review has been completed.

**DATES FOR HEARING EXAMINER PUBLIC HEARINGS**

January 19, 2005\*  
February 23, 2005\*  
March 22, 2005  
April 19, 2005  
May 17, 2005  
June 21, 2005  
July 19, 2005  
August 16, 2005  
September 20, 2005  
October 18, 2005  
November 22, 2005  
December 20, 2005

The Hearing Examiner public hearing begins at 7:00 p.m. in the City Council Chambers on the first floor of Auburn City Hall.

*\*date changed due to holiday*

## SURFACE MINING PERMIT APPLICATION

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\_\_\_\_\_  
APPLICANT'S NAME

\_\_\_\_\_  
APPLICATION NUMBER

Sec. Twp. Rng.: \_\_\_\_\_

Zone Existing: \_\_\_\_\_

Area Code: \_\_\_\_\_

Date Received: \_\_\_\_\_

Scheduled Public Hearing: \_\_\_\_\_

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Do Not Write Above This Line

**ALL PROPERTY OWNERS INCLUDED IN THIS APPLICATION MUST BE LISTED BELOW OPPOSITE A "PARCEL NUMBER" WHICH IS ALSO SHOWN ON THE LEGAL DESCRIPTION AND INDICATES THE PROPERTY OWNED BY EACH APPLICANT. YOUR SIGNATURE ALSO INDICATES YOU HAVE READ AND UNDERSTOOD THE CONTENTS OF THIS APPLICATION AND ITS ATTACHMENTS**

PARCEL  
NUMBER

NAME, ADDRESS AND PHONE NUMBER  
(Please Print)

SIGNATURE

\_\_\_\_\_

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Fax number \_\_\_\_\_

E-mail address \_\_\_\_\_

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\_\_\_\_\_

Fax number \_\_\_\_\_

E-mail address \_\_\_\_\_

### DESIGNATED CONTACT PERSON:

Name: \_\_\_\_\_

\_\_\_\_\_

Address: \_\_\_\_\_

City/Phone: \_\_\_\_\_

Indicate Method for Future Notifications

Fax \_\_\_\_\_

Mail \_\_\_\_\_

Telephone \_\_\_\_\_

E-mail \_\_\_\_\_

PLEASE NOTE THAT THE SITE PLAN MUST ACCOMPANY THIS APPLICATION.

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LEGAL DESCRIPTION OF PROPERTY

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FEE PAYMENT: \$3,112.00 plus \$727.00 for SEPA checklist T.R. # \_\_\_\_\_  
Cashier's Initials: \_\_\_\_\_ Date Received: \_\_\_\_\_